

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARK B. HARRIS,

Plaintiff,

v.

JOSEPH LEHMAN,

Defendant.

Case No. C05-5379RBL

ORDER

This Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). Plaintiff has paid the full filing fee and is not proceeding *in form pauperis*. Before the court is plaintiff's motion for reconsideration. (Dkt. # 16).

Plaintiff indicates he has nowhere near the amount of funds that were available when he filed this action and he seeks to shift the cost of discovery to the defendant. (Dkt. # 16). As the court previously noted, plaintiff paid the full filing fee and is in the same position as any other party wishing to conduct discovery. Absent an agreement between the parties as to how a deposition will be recorded the plaintiff will need to pay the cost for a certified court reporter and follow the Federal Rules of Civil Procedure.

Plaintiff is not entitled to shift costs for discovery. If he cannot afford to pay for depositions, he needs to consider other ways to conduct discovery (interrogatories or request for admissions).

1 The motion for reconsideration is **DENIED**.

2 The clerk is directed to send copies of this Order to plaintiff, counsel for defendant.

3 DATED this 17th day of April, 2006.

4 /s/ J. Kelley Arnold

5 J. Kelley Arnold

6 United States Magistrate Judge